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Attorneys for Defendant
Japan Airlines International Co., Ltd.

FILED
DISTRICT COURT OF GUAM

OCT 24 2006 *phc*

MARY L.M. MORAN
CLERK OF COURT

IN THE DISTRICT COURT OF GUAM

ROBERTO J. DEL ROSARIO and
MELANIE DEL ROSARIO,

Plaintiffs,

vs.

JAPAN AIRLINES INTERNATIONAL
CO., LTD.,

Defendant.

CIVIL CASE NO. CIV04-00028

**DEFENDANT'S REQUEST FOR
ADDITIONAL TIME TO FILE BRIEF
REGARDING SETTLEMENT
PROCEEDS; DECLARATION OF
SERVICE**

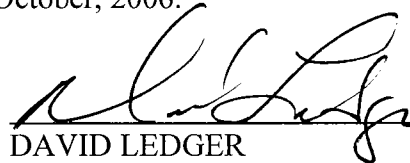
At a status conference held on October 3, 2006, the Court stated that Defendant Japan Airlines International Co., Ltd. ("JAL") may file any briefs regarding the issue of the disposition or payment of the settlement amount of \$175,000, and that Plaintiff Roberto J. Del Rosario and his former counsel William Gavras had until November 6, 2006 to file a response brief.

JAL and Mr. Gavras have reached a tentative compromise with regard to the deposit of the settlement amount of \$175,000. However, Mr. Del Rosario's current counsel, Howard Trapp, has been unavailable to participate in the settlement discussions due to his involvement in Ninth Circuit arguments in San Francisco. JAL requests additional time of two weeks, or November 14, 2006, to file any briefs regarding the disposition of the settlement funds. This extra time will allow the parties to wait until Mr. Trapp returns, to discuss with him the terms of the Stipulation,

and to secure his consent to the Stipulation. Should the Court allow this extension, the due date for the briefs in response by Mr. Del Rosario and Mr. Gavras would extended to November 20, 2006.

Respectfully submitted this 24th days of October, 2006.

CARLSMITH BALL LLP

A handwritten signature in black ink, appearing to read 'David Ledger', is written over a horizontal line.

DAVID LEDGER
ELYZE McDONALD
Attorneys for Defendant
Japan Airlines International Co., Ltd.

DECLARATION OF SERVICE

I, David Ledger, hereby declare under penalty of perjury of the laws of the United States, that on the 24th day of October 2006, I will cause to be served, via hand delivery, a true and correct copy of the DEFENDANT'S REQUEST FOR ADDITIONAL TIME TO FILE BRIEF REGARDING SETTLEMENT PROCEEDS upon Plaintiffs Counsel of record as follows:

Howard Trapp, Esq.
Howard Trapp Incorporated
200 Saylor Building
139 Chalan Santo Papa
Hagåtña, Guam 96910

Executed this 24th day of October 2006 at Hagåtña, Guam.



DAVID LEDGER